

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

IN RE: ETHICON, INC.,
PELVIC REPAIR SYSTEMS
PRODUCTS LIABILITY LITIGATION

MDL NO. 2327

THIS DOCUMENT RELATES TO THE CASES
ON THE ATTACHED EXHIBIT

ORDER


(Dismissing Ethicon Entities. with Prejudice
and Transferring Cases to MDL 2325)

Pending in MDL 2327, 2:12-md-2327 [ECF No. 3928], is a Joint Motion to Dismiss Certain Defendants with Prejudice filed by the plaintiffs, identified in Exhibit A, and Ethicon, Inc., Ethicon, LLC and Johnson & Johnson (collectively the “Ethicon entities”), to the extent the Ethicon entities are named. The parties are seeking dismissal of the Ethicon entities as defendants in these actions with prejudice because all claims against them have been compromised and settled, including all claims, counterclaims, cross-claims and third party claims. Also pending is Plaintiffs’ Motion to Transfer MDLs for these cases [ECF No. 3928]. After careful consideration, it is **ORDERED** that the Joint Motion to Dismiss Certain Defendants with Prejudice is **GRANTED**. It is further **ORDERED** that the **MOTION TO TRANSFER MDLs** is **GRANTED**. To the extent Amended Short Form Complaints have not been filed, plaintiffs’ counsel is **DIRECTED** to file the appropriate Amended Short Form Complaints within fourteen (14) days of the date of this Order. The Ethicon entities

are **DISMISSED WITH PREJUDICE** as defendants in the actions listed in Exhibit A, these actions are **TRANSFERRED** to MDL 2325, and the Clerk is **DIRECTED** to disassociate the civil actions as member cases in MDL 2327 and re-associate them with MDL 2325.

The court **DIRECTS** the Clerk to file a copy of this order in 2:12-md-2327 and in the individual cases listed in Exhibit A.

ENTER: August 1, 2017



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE

EXHIBIT A – BLASINGAME BURCH GARRARD & ASHLEY, P.C.

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:14-cv-04847	Patricia M. Swihart v. Ethicon, Inc., et al.
2:14-cv-10794	Dale A. Mitchell v. Ethicon, Inc., et al.